

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 87389**

This is to certify that: **TELFORD LANDS LLC**
1450 W HWY 24
PAUL, ID 83347-8666

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
34-12376	WR/DECREED	6/1/1977	1.250 cfs	306.3 af	87.5	1985.0	GROUND WATER
34-13659	WR/DECREED	6/1/1889	0.970 cfs	N/A	43.0	1985.0	BIG LOST RIVER
34-13661	WR/DECREED	6/1/1896	1.000 cfs	N/A	43.0	1985.0	BIG LOST RIVER
34-13840	WR/DECREED	4/6/1982	1.260 cfs	248.5 af	71.0	1985.0	GROUND WATER
34-13842	WR/DECREED	12/17/1975	0.460 cfs	196.2 af	140.0	1985.0	GROUND WATER
34-2330B	WR/DECREED	6/1/1977	1.750 cfs	429.0 af	122.5	1985.0	GROUND WATER
34-618	WR/DECREED	9/1/1884	3.200 cfs	N/A	N/A	2124.0	BIG LOST RIVER
34-7077	WR/DECREED	9/5/1974	8.000 cfs	700.0 af	200.0	1985.0	GROUND WATER
34-7080B	WR/DECREED	9/23/1974	5.330 cfs	1001.0 af	286.0	1985.0	GROUND WATER
34-7092	WR/DECREED	1/14/1975	12.000 cfs	2222.5 af	635.0	1985.0	GROUND WATER
34-7121A	WR/DECREED	1/9/1976	0.460 cfs	169.0 af	286.0	1985.0	GROUND WATER
34-7121B	WR/DECREED	1/9/1976	3.740 cfs	1106.0 af	316.0	1985.0	GROUND WATER
34-7179	WR/DECREED	4/6/1982	2.780 cfs	1185.5 af	N/A	2124.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
34-12376	NO	NO	YES	NO	NO	NO
34-13659	NO	NO	YES	NO	NO	NO
34-13661	NO	NO	YES	NO	NO	NO
34-13840	NO	NO	YES	NO	NO	NO
34-13842	NO	NO	YES	NO	NO	NO
34-2330B	NO	NO	YES	NO	NO	NO
34-618	NO	NO	YES	NO	NO	NO
34-7077	NO	NO	YES	NO	NO	NO
34-7080B	NO	NO	YES	NO	NO	NO
34-7092	NO	NO	YES	NO	NO	NO
34-7121A	NO	NO	YES	NO	NO	NO
34-7121B	NO	NO	YES	NO	NO	NO
34-7179	NO	NO	YES	NO	NO	NO

Transfer No. 87389

SUPPORT DATA

IN FILE # 34-618

SCANNED

MAR 15 2023

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

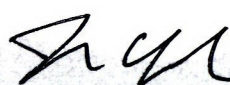
**TRANSFER OF WATER RIGHT
TRANSFER NO. 87389**

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
34-12376	34-12376	1.250 cfs	306.3 af	87.5	2124.0	N/A	N/A	N/A	N/A	N/A
34-13659	34-13659	0.970 cfs	N/A	43.0	2124.0	N/A	N/A	N/A	N/A	N/A
34-13661	34-13661	1.000 cfs	N/A	43.0	2124.0	N/A	N/A	N/A	N/A	N/A
34-13840	34-13840	1.260 cfs	248.5 af	71.0	2124.0	N/A	N/A	N/A	N/A	N/A
34-13842	34-13842	0.460 cfs	196.2 af	140.0	2124.0	N/A	N/A	N/A	N/A	N/A
34-2330B	34-2330B	1.750 cfs	429.0 af	122.5	2124.0	N/A	N/A	N/A	N/A	N/A
34-618	34-618	3.200 cfs	N/A	139.0	2124.0	N/A	N/A	N/A	N/A	N/A
34-7077	34-7077	8.000 cfs	700.0 af	200.0	2124.0	N/A	N/A	N/A	N/A	N/A
34-7080B	34-7080B	5.330 cfs	1001.0 af	286.0	2124.0	N/A	N/A	N/A	N/A	N/A
34-7092	34-7092	12.000 cfs	2222.5 af	635.0	2124.0	N/A	N/A	N/A	N/A	N/A
34-7121A	34-7121A	0.460 cfs	169.0 af	286.0	2124.0	N/A	N/A	N/A	N/A	N/A
34-7121B	34-7121B	3.740 cfs	1106.0 af	316.0	2124.0	N/A	N/A	N/A	N/A	N/A
34-7179	34-7179	2.780 cfs	1185.5 af	N/A	2124.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		42.200 cfs	7434.0 af	2124.0	2124.0		N/A	N/A	N/A	N/A

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 14th day of March, 2023.



Regional Manager

Transfer No. 87389

SUPPORT DATA

IN FILE # 34-618

SCANNED

MAR 15 2023

WATER RIGHT NO. 34-2330B**As Modified by Transfer No. 87389**

In accordance with the approval of Transfer No. 87389, Water Right No. 34-2330B is now described as follows:

Right Holder: TELFORD LANDS LLC
1450 W HWY 24
PAUL, ID 83347-8666

Priority Date: 6/1/1977

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
IRRIGATION	04/01	to 10/31	1.750 cfs	429.0 af
			1.750 cfs	429.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	L2 (NENWNE)	Sec 4 Twp 04N Rge 26E	BUTTE County
GROUND WATER	L2 (NWNWNE)	Sec 4 Twp 04N Rge 26E	BUTTE County
GROUND WATER	L3 (NENENW)	Sec 5 Twp 04N Rge 26E	BUTTE County
GROUND WATER	SWNWNW	Sec 21 Twp 05N Rge 26E	BUTTE County
GROUND WATER	SENWSE	Sec 29 Twp 05N Rge 26E	BUTTE County
GROUND WATER	SESWNE	Sec 32 Twp 05N Rge 26E	BUTTE County
GROUND WATER	SENWSE	Sec 32 Twp 05N Rge 26E	BUTTE County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	25E	12	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	35.0	33.0	34.0	33.0	40.0	40.0	39.0	36.0	610.0
03N	26E	17	11.0	26.0			38.0	39.0	14.0	2.0									130.0
03N	26E	18	40.0	40.0	35.0	28.0	40.0	27.0	37.0	40.0	16.0	12.0			1.0				316.0
								L 1	L 2				L 3						
04N	25E	26	30.0	30.0	30.0	30.0													120.0
04N	25E	35	32.0	33.0	40.0	33.0									32.0	40.0	33.0	32.0	275.0
04N	25E	36	33.0	34.0	36.0	33.0	33.0	34.0	36.0	35.0	34.0	34.0	34.0	33.0	31.0	32.0	32.0	30.0	534.0
04N	26E	4	37.0	34.0	36.0	32.0													139.0
			L 1	L 2															

Right Acre Limit: 122.5
POU Total Acres: 2124.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 122.5 acres within the place of use described above in a single irrigation season.
2. Should all or any portion of this water right or any other right in the 2,124 acre combined place of use ever be curtailed as a result of a delivery call, the combined place of use shall be reduced by the number of irrigated acres authorized to be irrigated by the individual water right(s) curtailed.

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WATER RIGHT NO. 34-2330B

As Modified by Transfer No. 87389

CONDITIONS OF APPROVAL

3. Rights 34-618, 34-2330B, 34-7080B, 34-7121A, 34-7121B, 34-7092, 34-7077, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840 and 34-13842 when combined shall not exceed a total diversion rate of 42.2 cfs, a total annual maximum diversion volume of 7434 af at the field headgate, and the irrigation of 2124 acres.
4. Should all or any portion of this water right or any other right in the 2,124 acre combined place of use ever be curtailed as a result of a delivery call, the combined place of use shall be reduced by the number of irrigated acres authorized to be irrigated by the individual water right(s) curtailed.
5. Diversion of water from the additional well(s) authorized under Transfer 74921 located in NWNWNE LT2, Sec. 4, T04N, R26E shall not exceed a maximum diversion rate of 5.00 cfs.
6. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
7. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
8. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
9. Prior to the diversion and use of water under Transfer approval 87389, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
10. The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of lands within the authorized place of use for this right. The right holder may divert ground water under this right to irrigate land with appurtenant surface water rights when the surface water supply is not reasonably sufficient to irrigate the place of use for this water right or is not available due to drought, curtailment by priority, or the seasonal startup and shutoff or maintenance schedule for canal company or irrigation district deliveries. The right holder shall not divert ground water for irrigation purposes under this right if use of the surface water supply is intentionally discontinued or reduced (for example abandoned, forfeited, sold, disallowed by court decree, or leased to the Water Supply Bank), or is not deliverable due to non-payment of annual assessments, without an approved transfer pursuant to Idaho Code § 42-222 or other Department approval.
11. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
12. Water delivered through the Moore Diversion and Timberdome Canal.
13. Construction of new wells at the location of existing points of diversion is not authorized unless the water right holder obtains approval through an application for transfer, and the Department determines, by considering the transfer, whether the construction of and pumping from new wells will injure other water rights.

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WATER RIGHT NO. 34-2330B

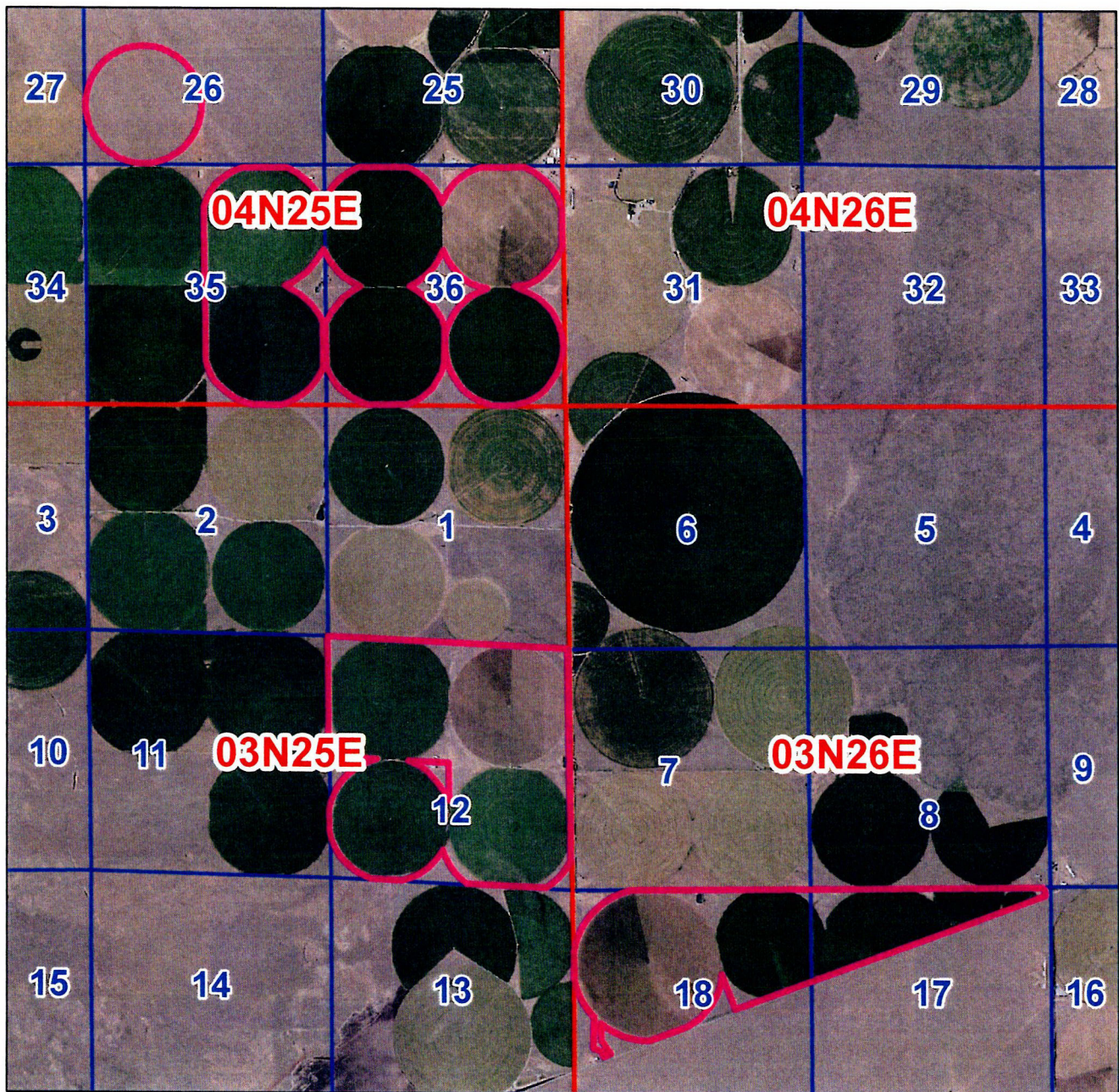
As Modified by Transfer No. 87389

CONDITIONS OF APPROVAL

14. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
15. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
16. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Attachment to Transfer Approval 87389

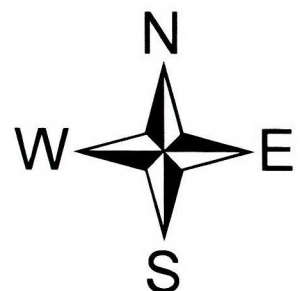
This map depicts the place of use boundary at the time of this transfer approval and is attached to the approval document solely for illustrative purposes.



0 0.5 1 2 Miles

Legend

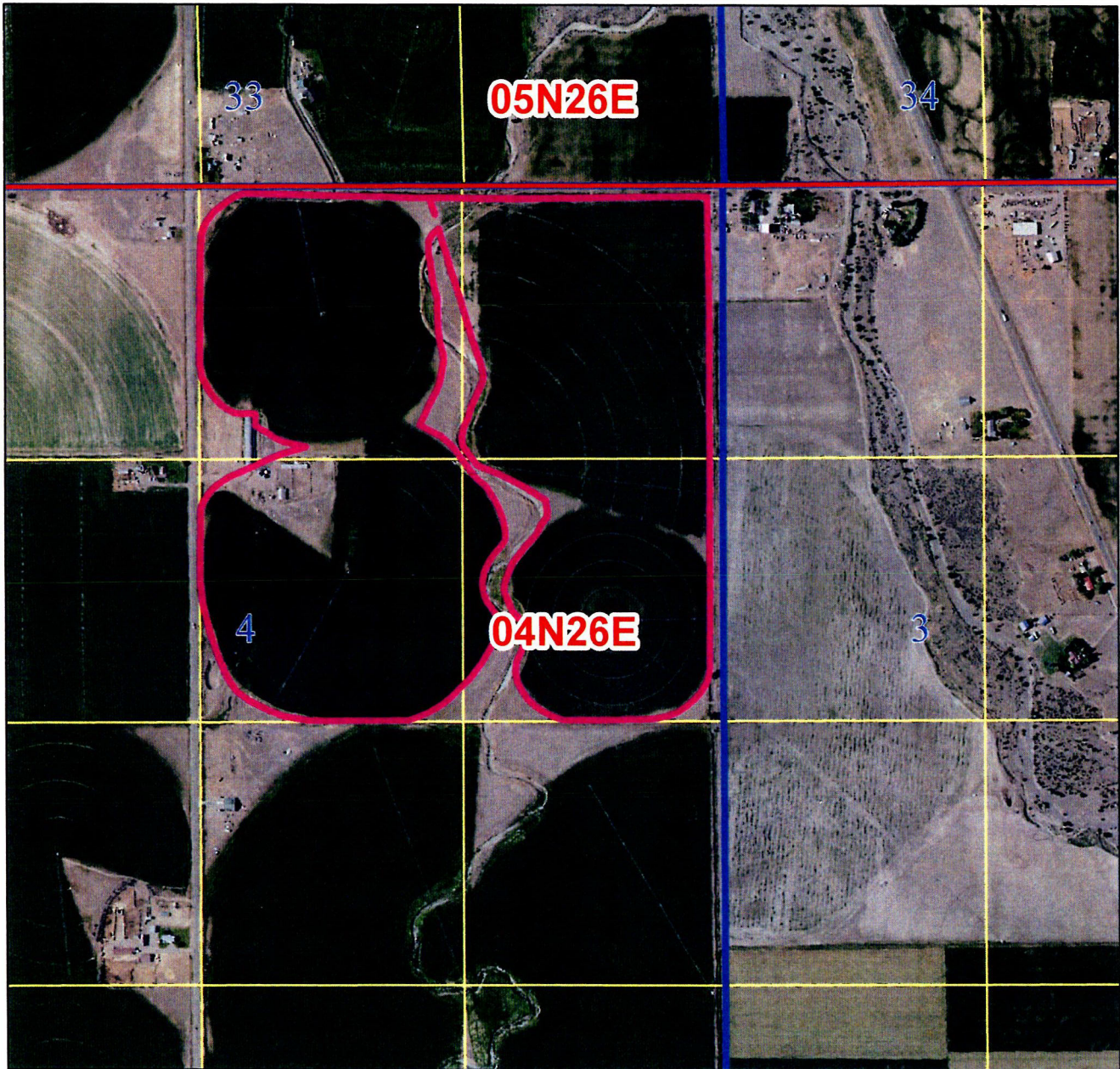
-  WR POU
-  Township/Range
-  Sections



SCANNED
Date: 3/14/2023
MAR 15 2023

Attachment to Transfer Approval 87389

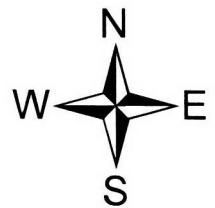
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Legend

-  WR POU
-  Township/Range
-  Sections
-  QQ

0 500 1,000 2,000 Feet



SCANNED Date: 3/14/2023

MAR 15 2023